

CR 19 00056

NC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

JIZHONG CHEN

FILED

JAN 31 2019

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

INDICTMENT

COUNT ONE- (18 U.S.C. § 1832(a)(2) – Theft of Trade Secrets)

*A true bill.*

  
Foreperson

Filed in open court this 31 day of January  
A.D. 2019

  
United States Magistrate Judge

Bail. \$ No process

ALEX G. TSE (CABN 152348)  
Attorney for the United States,  
Acting Under the Authority  
Conferred by 28 U.S.C. § 515

**FILED**  
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SUSAN Y. SOONG  
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NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**EJD**  
**NC**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIZHONG CHEN,

Defendant.

Case No. **CR 19 00056**  
VIOLATION: Title 18, United States Code, Section  
1832(a)(2) – Theft of Trade Secrets;  
18 U.S.C. §§ 1834 & 2323 –Criminal Forfeiture.  
SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 1832(a)(2) – Theft of Trade Secrets)

On or about December 19, 2018, in the Northern District of California, the defendant,

JIZHONG CHEN,

with the intent to convert a trade secret related to a product and service used in and intended for use in interstate and foreign commerce, specifically, images of autonomy architecture, to the economic benefit of a person other than the trade secret's owner, and knowing and intending that the offense would injure the owner of that trade secret, Apple Inc., knowingly and without authorization photographed said trade secret.

INDICTMENT

1 In violation of Title 18, United States Code, Section 1832(a)(2).

2 FORFEITURE ALLEGATION: (18 U.S.C. §§ 1834 and 2323 – Proceeds and Property Involved in  
3 Theft of Trade Secrets)

4 The allegations contained in Count 1 of this Indictment are hereby re-alleged and incorporated as  
5 if fully set forth here. Upon conviction of any of those offenses, the defendant,

6 JIZHONG CHEN,

7 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 1834  
8 and 2323, any property used, or intended to be used, in any manner or part to commit or facilitate the  
9 commission of the offenses, and any property constituting or derived from any proceeds obtained  
10 directly or indirectly as a result of the commission of the offenses.

11 2. If any of the property described above, as a result of any act or omission of the defendant:

12 a. cannot be located upon the exercise of due diligence;

13 b. has been transferred or sold to, or deposited with, a third party;

14 c. has been placed beyond the jurisdiction of the court;

15 d. has been substantially diminished in value; or

16 e. has been commingled with other property which cannot be divided without difficulty,

17 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,

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1 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2323(b).

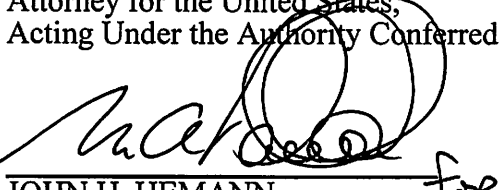
2 All pursuant to Title 18, United States Code, Sections 1834 and 2323.

3 DATED: 1-31-19

A TRUE BILL.

4   
FOREPERSON

6 ALEX G.TSE  
7 Attorney for the United States,  
8 Acting Under the Authority Conferred by 28 U.S.C. § 515

9   
10 JOHN H. HEMANN for  
Deputy Chief, Criminal Division

11  
12 (Approved as to form: )  
13 AUSA MATTHEW A. PARRELLA  
14 AUSA MICHELLE KANE  
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**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

Count One: 18 USC 1832(a)(2) - Theft of Trade Secrets

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

 PENALTY: 10 years imprisonment,  
 \$250,000 fine,  
 \$100 special assessment,  
 3 years' supervised release

**CR 19 00056 EJD**

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**DEFENDANT - U.S.**

JIZHONG CHEN

DISTRICT COURT NUMBER

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

FBI S/A Jonathan Abel

☐ person is awaiting trial in another Federal or State Court,  
 give name of court

☐ this person/proceeding is transferred from another district  
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of  
 charges previously dismissed  
 which were dismissed on motion  
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW  
DOCKET NO.
☐ this prosecution relates to a  
 pending case involving this same  
 defendant
MAGISTRATE  
CASE NO.
☒ prior proceedings or appearance(s)  
 before U.S. Magistrate regarding this  
 defendant were recorded under

CR-19-70117 MAG

Name and Office of Person

Furnishing Information on this form David L. Anderson

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Matthew A. Parrella

**IS NOT IN CUSTODY**
 1) ☐ Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior  
 summons was served on above charges
2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)
 NDCA CLERK SUSAN Y. SOONG  
 U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE
**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☒ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes  
 been filed? ☐ No

 If "Yes"  
 give date  
 filed
DATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 \* Where defendant previously apprehended on complaint, no new summons or  
 warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: